

REMARKS

Claims 1-10 and 20-24 remain pending in the present application. Claims 11-19 are canceled as directed to a non-elected invention. The Examiner is respectfully requested to enter these amendments into the above captioned case prior to examination thereof. Applicants respectfully assert that no new matter is added as a result of these amendments.

RESTRICTION

In the Office Action mailed August 9, 2005, in the above captioned case, the Examiner has stated that the present Application contains two distinct inventions. As such, the Examiner has required the Applicants to elect a single invention for prosecution on the merits. Specifically, the Examiner has required the Applicants to elect between a first invention, Group I, recited in claims 1-10 and 20-24, drawn to a method of making product, classified in class 451, subclass 289, and a second invention, Group II, recited in claims 11-19, drawn to design verification, classified in class 716, subclass 5.

ELECTION WITH TRAVERSE BETWEEN
GROUP I AND II

Applicants elect with traverse Group I, recited in claims 1-10 and 20-24, drawn to a method of making product, classified in class 451, subclass 289.

Applicants respectfully assert that the restriction requirement and the rationale for restriction are improper, and respectfully solicit withdrawal of such restriction requirement, in view of the rationale presented below.

The Official Action asserts “inventions I and II are related as product and process of use.” Applicants respectfully traverse this characterization.

Independent Claim 1 (Group I) is directed to “a method of generating a deep N-well pattern for an integrated circuit design.” Independent Claim 11 (Group II) is directed to “a computer-readable medium comprising computer-executable instructions stored therein for performing a method of generating a deep N-well pattern for an integrated circuit design.”

As Independent Claim 1 (Group I) is directed to a method and Independent Claim 11 (Group II) is directed to a tangible item (a computer-readable medium), it follows that the Official Action argues that Independent Claim 1 (Group I) recites a process for use of Independent Claim 11 (Group II). Applicants respectfully assert that Independent Claim 1 (Group I) does not recite a process

for using a computer-readable medium. Applicants respectfully assert that this argument is improper on its face.

For this reason, Applicants respectfully assert that the restriction requirement is overcome, and respectfully solicit withdrawal of such restriction requirement.

In addition with respect to the restriction requirement, the Official Action asserts “other methods of different method steps may be used to form device of invention I.” Applicants respectfully assert that Independent Claim 1 (Group I) recites a method, not a device.

For this additional reason, Applicants respectfully assert that the restriction requirement is overcome, and respectfully solicit withdrawal of such restriction requirement.

As described previously, Independent Claim 1 (Group I) is directed to “a method of generating a deep N-well pattern for an integrated circuit design,” and Independent Claim 11 (Group II) is directed to “a computer-readable medium comprising computer-executable instructions stored therein for performing a method of generating a deep N-well pattern for an integrated circuit design.” Both claims are directed toward a common invention, “a method of generating a deep N-well pattern for an integrated circuit design.”

For this reason, Applicants respectfully assert that the inventions of Group I and Group II are not distinct, and prosecution should progress on Claims 1-24 as originally submitted.

CONCLUSION

Claims 1-10 and 20-24 remain pending in the present application. Claims 11-19 are canceled as directed to a non-elected invention. The Examiner is respectfully requested to enter these amendments into the above captioned case prior to examination thereof. Applicants respectfully assert that no new matter is added as a result of these amendments.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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